**STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD**

GEORGE VLADIMIR MRVICHIN,	)
	)
Charging Party,	) Case No. LA-CO-625
	)
v.	) Request for Reconsideration
	) PERB Decision No. 1132
AMERICAN FEDERATION OF TEACHERS	)
COLLEGE STAFF GUILD, LOCAL 1521,	) PERB Decision No. 1132a
CFT/AFT, AFL-CIO,	)
	) March 20, 1996
Respondent.	)
	)

Appearance: George Vladimir Mrvichin, on his own behalf.

Before Garcia, Johnson and Dyer, Members.

DECISION

DYER, Member: This case is before the Public Employment
Relations Board (PERB or Board) on a request for reconsideration
of the Board's decision in American Federation of Teachers
College Staff Guild. Local 1521. CFT/AFT. AFL-CIO (Mrvichin)
(1996) PERB Decision No. 1132 (AFT (Mrvichin)), filed by George
Vladimir Mrvichin (Mrvichin). In AFT (Mrvichin), the Board
dismissed the complaint and unfair practice charge in which
Mrvichin alleged that the American Federation of Teachers College
Staff Guild, Local 1521, CFT/AFT, AFL-CIO breached its duty of
fair representation when it failed to assist him with his
grievances and when it refused to represent him in his dismissal
proceedings before the personnel commission.

DISCUSSION

PERB Regulation 32410[1] permits any party to a decision of the Board itself to request the Board to reconsider that decision. It states, in pertinent part:

> The grounds for requesting reconsideration are limited to claims that the decision of the Board itself contains prejudicial errors of fact, or newly discovered evidence or law which was not previously available and could not have been discovered with the exercise of reasonable diligence.

The Board has strictly applied these limited grounds in considering reconsideration requests specifically to avoid the use of the reconsideration process to reargue or relitigate issues which have already been decided. (Redwoods Community College District (1994) PERB Decision No. 1047a; State of California (Department of Corrections) (1995) PERB Decision No. 1100a-S.) In numerous request for reconsideration cases the Board has declined to reconsider matters previously offered by the parties and rejected in the underlying decision. (California State University (1995) PERB Decision No. 1093a-H; California State Employees Association. Local 1000 (Janowicz) (1994) PERB Decision No. 1043a-S; California Faculty Association (Wang) (1988) PERB Decision No. 692a-H; Tustin Unified School District (1987) PERB Decision No. 626a; Riverside Unified School District (1987) PERB Decision No. 622a.)

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[1] **PERB** regulations are codified at California Code of Regulations, title 8, section 31001 et seq.

In his request for reconsideration, Mrvichin complains that the Board failed to address numerous specific exceptions raised on appeal of the underlying decision and he restates several of the exceptions he previously presented to the Board. Essentially, Mrvichin's request that the Board reconsider its decision is a restatement of the issues he raised on appeal.

In AFT (Mrvichin), the Board thoroughly considered Mrvichin's exceptions in light of the entire record. The Board determined that the issues raised in Mrvichin's appeal were properly addressed in the administrative law judge's (ALJ) proposed decision. Accordingly, the Board adopted the ALJ's decision as its own, finding it unnecessary to restate the findings and conclusions of the ALJ. Mrvichin provides no explanation from which the Board can determine how its failure to respond to each of Mrvichin's numerous exceptions constitutes prejudicial error of fact. Furthermore, as stated above, reconsideration is not appropriate where a party merely repeats arguments previously considered and rejected by the Board in the underlying decision. Accordingly, Mrvichin's request for reconsideration fails to state proper grounds for reconsideration of the Board's decision.

ORDER

The request for reconsideration of <u>American Federation of Teachers College Staff Guild. Local 1521. CFT/AFT. AFL-CIO (Mrvichin)</u> (1996) PERB Decision No. 1132 is hereby DENIED.

Members Garcia and Johnson joined in this Decision.